

POLICY

Youths assigned to residential facilities are searched upon intake, when returning from community activities and when there is a reasonable basis to believe the youth possesses contraband.

PURPOSE

To ensure the safety of youths, staff, and visitors through consistent practices in the searches of youth.

DEFINITIONS

See JRG, JJ Residential Glossary.

**RESPONSIBLE
STAFF**

Designated in the facility standard operating procedure.

**SEARCH
PROCEDURE**

Each facility must develop and implement standard operating procedures (SOPs) relative to body searches. At a minimum, SOPs must contain the following requirements:

**Complete
Searches**

Complete searches are:

- Mandatory upon intake into secure treatment and detention facilities.
- Mandatory upon return to a secure facility from jail.
- Mandatory upon apprehension from escape.
- Authorized when there is a documented reasonable basis to believe that the youth is concealing contraband and the search is approved by a supervisor.
- Always conducted by staff that is of the same gender as the youth.
- Monitored by a second staff. A staff the same gender as the youth is preferred, but not mandatory.
- Always documented.

**Pat Down
Searches**

In all BJJ programs, staff may conduct a pat down search of youths under any of the following circumstances:

- There is a reasonable basis to believe that the youth possesses contraband.
- The youth has participated in a non-staff supervised activity.
- The youth had access to objects that are missing.
- The youth is returning to the facility from home, school or work.
- The youth is completing the intake process.

When possible, staff of the same gender as the youth conduct pat down searches. If this is not possible, staff must use the back of their hands when conducting a pat down of the genital area or buttocks of males or females or the chest area of females.

Staff must document the search anytime that they place their hands on a youth and in all cases where contraband is found.

**Body Cavity
Searches**

Body cavity searches must be:

- Pre-approved in writing by the facility director or designee. If the facility director designates this authority, that designation must be in writing.
- Performed only by a licensed physician or a physician's assistant, licensed practical nurse, or registered professional nurse acting with the approval of a licensed physician. If the body cavity search is conducted by a person of the opposite gender as the person being searched, the search must be conducted in the presence of a person of the same gender as the person being searched..
- Based on a reasonable belief that the youth is concealing contraband or evidence of a crime.

All body cavity searches must be documented in a report containing all of the following:

- A copy of the facility director or designee's written authorization for the search.
- The name and gender of the youth searched.
- The name and credentials of the person who conducted the search.
- The time, date and place of the search.
- A list of all items recovered from the youth who was searched.
- The name and gender of all personnel present at the search.

Inventory

Staff must inventory all articles taken from the youth.

Staff must provide the youth an opportunity to sign the inventory form and provide the youth a copy of the form.

Staff must return or otherwise account for all legal inventoried items upon the youth's release.

Staff must process all illegal items and dispose of them as directed by local law enforcement.

AUTHORITY

Code of Criminal Procedure, MCL 764.25b

Social Welfare Act, MCL 400.115a(1)(l)